

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	
<u>ex rel</u> MARC A. LANDSBERG, M.D.)	
and SHARON L. BURKE,)	
)	
Plaintiff,)	
)	2:03cv1263
v.)	Electronic Filing
)	
ARGENTIS MEDICAL, P.C.,)	Judge Cercone
d/b/a THE WOMEN'S HEALTH CENTER,)	Magistrate Judge Hay
LASER VEIN CENTERS L.L.C.,)	
3 DIMENSION IMAGING, INC.,)	
SERHAT ERZURUM, M.D.,)	
GEORGE H. DENEHY,)	
WAYNE KAWALEK, M.D., and DOES I)	
through XX, inclusive,)	
)	
Defendants.)	

7/26/2006 ORDER

AND NOW, this 26 day of June, 2006, after the plaintiffs/relators, Marc A. Landsberg, M.D. and Sharon L. Burke, M.D., filed an action in the above-captioned case, and after a Motion to Dismiss or, in the Alternative, Motion to Stay was submitted by defendant, Wayne Kawalek, M.D., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that defendant Kawalek's Motion to Dismiss or, in the Alternative, Motion to Stay [Document No. 30] is DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the any party desires to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

D. Cercone

DAVID STEWART CERCONNE
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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